



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,018	08/22/2003	Andrey Kozyrev	WJT08-0005D1	8991

7590 02/22/2005
William J Tucker
14431 Goliad Drive
Box #8
Malakoff, TX 75148

EXAMINER

LEE, BENNY T

ART UNIT PAPER NUMBER

2817

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AK

PLEASE DATE

ARTIST

☐ This application has been examined ☒ Responsive to communication filed on 24 Nov 76 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire Two (2) month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-10 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☒ Claims 11-13 have been cancelled.
3. ☒ Claims 1-10 are allowed.
4. ☐ Claims _____ are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☒ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

Applicants' cancellation of non-elected claims 11-13 renders moot the restriction requirement.

The supplemental amendment filed 7 February 2005 has been entered.

This application is in condition for allowance except for the following formal matters:

In the Specification:

The disclosure is objected to because of the following informalities which pertain to the substitute amendment of 7 February 2005: In the replacement paragraph to page 6, line 8, note that for the collective description of "Figs. 1 and 2", the subsequent description needs to reference those reference labels with the corresponding drawing figure in which they actually appear. That is to say, those elements unique to fig. 1 should be designated with --(see FIG. 1)-- and those reference elements unique to FIG. 2 should be designated with --(see FIG. 2)-- to provide clarity of description. In the replacement paragraph to page 8, line 11, second line therein, note that the undecipherable symbol following "(permittivity)" should be deleted. In the replacement paragraph to page 8, line 23, second line therein, note that --with coplanar waveguide 62 positioned on a layer of tunable dielectric material 80-- should be reinserted after "invention" as to be consistent with the amendment of 24 November 2004; third line therein, note that --with electrodes 66 and 68 separated from electrodes 82 and 84 respectively by gaps 86 and 88-- should be reinserted after "5-5" as to be consistent with the amendment of 24 November 2004; fifth line therein, "Assembly" should be rephrased as --Referring to FIG. 4, assembly-- as to be consistent with the original specification; 18th line therein, "The" should be rephrased as --Referring to FIG. 5, the-- as to be consistent with the original specification. In the replacement paragraph to page 9, line 23, third through seventh lines therein, it is unclear

Art Unit: 2817

whether the reference labels used in this description are commensurate with the reference labeling in "FIG. 7"; 8th line therein, should --of FIG. 6-- follow "102" for a proper characterization; 9th line therein, note that "A" should be rephrased as --Referring to FIGs. 6 and 7, a-- for clarity of description; 13th line therein, note that --as shown in FIG. 6-- should follow "112" for clarity of description. In the replacement paragraph to page 10, line 25, note that "The" should be rephrased as --Referring to FIG. 10, the-- as to be consistent with the original specification. Appropriate correction is required.

The disclosure is objected to because of the following informalities: Note that the following reference labels need explicit description relative to the corresponding figure description: fig. 2 (28, 30, 32, 34); Fig. 3 (14, 16, 18, 20, 24, 26). Also, at page 13, line 7, "transform" should correctly be --transformer--. Appropriate correction is required.

In the Claims:

The following claims have been found objectionable for reasons set forth below:

In claim 1, seventh paragraph, second line, note that --, wherein the coplanar waveguide -- should be inserted between "film" and "comprises" to avoid confusion and provide for a proper characterization. That is to say, the subsequent description pertains to features of the "coplanar waveguide" rather than the "connection".

In claims 6, 10, note that "O3" should correctly be --O₃-- at each instance.

In claim 10, note that "O4" & "O6" should correctly be --O₄-- & --O₆--, respectively.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

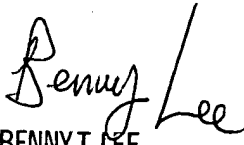
Art Unit: 2817

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Claims 1-10 are allowable over the prior art of record.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number 571 272 1764.

B. Lee


BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817